

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 18th day of June 1998

B E F O R E

THE HON'BLE MR. JUSTICE CHANDRASHEKARAI AH

WRIT PETITION Nos.14890/1997

AND W.P. Nos.16130-132/97

BETWEEN :

1. Sri. Puttaraju, 28 years,
S/o. Sri. Rangappa,
Major,
R/a. Jyothinagar,
Sira Town, Tumkur Dist.
2. Sri. T. Govindaraju,
S/o. Late (Sri) Thimmanna,
aged 26 years,
R/at. Banninagar,
Sira Town, Tumkur Dist.
3. Sri. Basavaraju,
S/o. Sri. S.R. Shakunappa,
aged 40 years,
R/at. Ranganathapur,
Sira Town, Tumkur Dist.
4. Sri. T. Loke sh,
aged 37 years,
S/o. Sri. Sannathimmaiah,
R/at Kote,
Sira Town,
Tumkur Dist.,

.. PETITIONERS

(By Sri. M.K. Bhaskarai ah, Adv.)

AND :

1. The Government of Karnataka,
Department of Housing & Urban
Development, Vidhana Soudha,
Bangalore.

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2. The Deputy Commissioner,
Tumkur District, Tumkur.
3. The Town Municipal Council,
Sira Town, Sira,
Tumkur District,
by its Chief Officer.
4. The Tahsildar,
Sira Taluk, Sira,
Tumkur District.
5. Sri. B. Sathyanarayana,
Hon'ble Minister of State
for Labour, Vidhana Soudha,
Bangalore.

.. RESPONDENTS

(By Sri. K. Nagaraja, HCGP
for R1 to R4,
Sri. D.L. Jagadish, for R5)

.. ..

These writ Petitions are filed under Articles 226 and 227 of the Constitution of India with a prayer to direct the R2 and 4 to issue Possession Certificate to the petitioners and others residents to Sira Tq. as per the resolution sent by the R3 dt.21.10.1996 without bringing the same before the Ashraya Committee.

These petitions coming on for prl. hg. in 'B' Group this day, the Court made the following:-

ORDER

The Municipal Council, Sirsa, has passed a resolution resolving to issue Hakkupathras in respect of 445 persons. Since no steps have ^{been} taken to issue Hakkupathras pursuant to the said resolution, the petitioners have filed these writ Petitions for a direction to issue possession certificate to the petitioners and other residents. Mere resolution will not create any right in favour of the petitioners unless an order of allotment of sites had been communicated to the petitioners pursuant to the resolution. In the case on hand, the petitioners have not produced any material to show that they are all intimated ^{with} an order of allotment of sites pursuant to the resolution. In the absence of such allotment no direction can be issued to the respondents to ^{issue} ~~ensure~~ possession certificate solely on the basis of the resolution.

2. In the result I pass the following order:
These writ Petitions are rejected.

CS/-

Sd/-
JUDGE